

WEST VIRGINIA LEGISLATURE

2022 REGULAR SESSION

Committee Substitute

for

Senate Bill 562

BY SENATORS MAYNARD, WOODRUM, AND RUCKER

[Originating in the Committee on Natural Resources;

reported on February 22, 2022]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §20-5-23, relating to authorizing Adopt-A-Trail volunteer programs for public
3 lands under the jurisdiction of the Division of Natural Resources; providing for activities to
4 be performed by volunteer groups; requiring volunteer project agreements with the
5 division; requiring certain requirements in agreements; establishing minimum
6 requirements for volunteer organizations; establishing certain limitations on activities
7 performed by volunteer groups; and providing for project coordination and removal and
8 disposal of trash and other items.

Be it enacted by the Legislature of West Virginia:

ARTICLE 5. PARKS AND RECREATION.

§20-5-23. Establishment of Adopt-A-Trail program for paths and trails.

9 (a) The West Virginia Division of Natural Resources shall establish an Adopt-A-Trail
10 program that will allow volunteer groups to assist in maintaining and enhancing trails on state-
11 owned land.

12 (b) Subject to subsection (f) of this section, volunteer groups in the Adopt-A-Trail program
13 may adopt any available trail or trail segment and may choose any one or more of the following
14 activities:

15 (1) Spring cleanups;

16 (2) Litter collection;

17 (3) Accessibility projects;

18 (4) Special events;

19 (5) Trail maintenance, enhancement, or realignment;

20 (6) Public information and assistance; or

21 (7) Training.

22 (c) Volunteer groups that want to participate in the Adopt-A-Trail program shall apply to
23 the division on an application provided by the division. Applications shall be reviewed and

24 approved or denied at the division's discretion. Groups may not perform any activity on a trail or
25 trail segment until approved by the division with an Adopt-A-Trail agreement executed by all
26 parties to the agreement. The division may provide for more than one volunteer group to adopt
27 an eligible trail or trail segment.

28 (d) Adopt-A-Trail agreements shall include, but not be limited to, the following provisions:

29 (1) Participating in the program for a term of at least two years;

30 (2) Assisting with trail or path maintenance when applicable; and

31 (3) Complying with all reasonable requirements of the division.

32 (d) Volunteer groups shall consist of people who are 18 years or older. Participants 17
33 years of age or younger may participate but must be accompanied by an adult who is 18 years of
34 age or older with a close relationship or connection to any participant 17 years of age or younger.

35 As with the Adopt-A-Highway and the Adopt-A-Stream Programs in this state, groups participating
36 in the Adopt-A-Trail Program may include, but not be limited to, communities, families, individuals,
37 members of 4-H or Future Farmers of America, scouting organizations, any faith-based group,
38 youth group, schools, college organizations, businesses, civic organizations, and government
39 agencies.

40 (e) Activities performed by volunteer groups may not involve work that:

41 (1) Reduce hours or compensation of department or division employees;

42 (3) Could be performed by a laid-off department or division employee; or

43 (3) Are inconsistent with the terms of a collective bargaining agreement.

44 (f) If the division operates other programs in the vicinity of the trail that allows volunteers
45 to participate in similar programs, the division shall coordinate these programs to provide for
46 efficient and effective volunteer programs in the area.

47 (g) Adopted trails may be identified by a sign at a location along the adopted section
48 bearing the Adopt-A-Trail logo and the name of the volunteer group after the group completes 50
49 hours of service.

50 (h) The division shall coordinate with the closest solid waste authority so that any tires,
51 appliances, televisions, or trash may be properly disposed of with proper documentation.

52 (i) Collected litter will be placed at designated locations approved by the division. The
53 division may coordinate with volunteers, local authorities, and state agencies for removal and
54 disposal of collected litter. Garbage bags, safety training, and gloves are to be furnished by the
55 program.

56 (j) The division may propose rules pursuant to §29A-3-1 et seq. of this code to carry out
57 and implement the Adopt-A-Trail program.